Case 1:11-cr-01091-VM Document 466 Filed 07/16/13 Page 1 of 4

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-- V. --

PETER LESNIEWSKI, MARIE BARAN, and JOSEPH RUTIGLIANO,

Defendants.

Disclosure Order S14 11 Cr. 1091 (VM)

UPON the application of the Government, pursuant to 26 U.S.C. §6103(i)(4), the Court hereby

FINDS that the tax returns and return information of the defendant Peter Lesniewski, for tax years 2003 through 2008, the defendant Marie Baran, for tax years 2007 through 2011, and the defendant, Joseph Rutigliano, for tax years 2000 through 2007, are probative of a matter in issue relevant in establishing the commission of a crime or the guilt of a party;

NOW, THEREFORE, IT IS HEREBY

ORDERED that the above taxpayer return and return information may be disclosed at trial of the above-captioned case; and it is further

ORDERED that a representative the Internal Revenue Service is ordered to testify regarding the above return and return information as necessary and appropriate to authenticate and explain the same.

HONORABLE VICTOR MARRERO UNITED STATES DISTRICT JUDGE

Dated: New York, New York July //, 2013

· x	
:	
:	APPLICATION and
	<u>AFFIRMATION</u>
;	
	S14 11 Cr. 1091 (VM)
;	
:	
- x	
	: :

NICOLE FRIEDLANDER, pursuant to 28 U.S.C. § 1746, declares, under penalty of perjury, as follows:

- 1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York. In that capacity, I am one of the Assistant United States Attorneys in charge of the prosecution of defendants Peter Lesniewski, Marie Baran and Joseph Rutigliano. I submit this application for an order, pursuant to 26 U.S.C. §6103(i)(4), that the above taxpayer return and return information ("Return Information") may be disclosed at trial of the above-captioned case, and further that a representative of the Internal Revenue Service is ordered to testify regarding the above Return Information as necessary and appropriate to authenticate and explain such information. The Return Information was produced to the United States Attorney's Office pursuant to a prior Order of the United States District Court for the Southern District of New York.
- 2. I have spoken with an IRS representative, who has informed me that the IRS requires a Court order in order to produce a witness to testify regarding the above Return Information as necessary and appropriate to authenticate and explain such information.

WHEREFORE the Government respectfully requests that the Court grant this application and issue the attached proposed Order.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York July 15, 2013

NICOLE FRIEDLANDER
Assistant United States Attorney

Tel.: (212) 637-2211